

**Northeastern Great Basin Resource Advisory Council
Final Meeting Minutes
February 5, 2009
Ely, Nevada**

Resource Advisory Council (RAC) Members Present and Category Represented:

Larry Barngrover	(2) Wildlife
Jeff White	(1) Energy/Minerals
Neil Frakes	(2) Environmental
Vince Garcia	(3) Native American
John Winnepenninkx	(2) Wild Horse & Burro
Dave Gaskin	(2) State Agency
Patsy Tomera	(3) Public-At-Large
Kevin Lee	(1) Transportation/ROW
Tom Connolly	(1) Federal Grazing
Jon Griggs	(1) Federal Grazing
Cyd McMullen	(2) Archaeology

Bureau of Land Management (BLM) Representatives Present:

Stephanie Trujillo	Acting RAC Coordinator, Ely District Office
Ken Miller	District Manager, Elko District Office
Michael Herder	Associate District Manager, Ely District Office
Jerry Smith	District Manager, Battle Mountain District Office
Elena Montenegro-Long	Management & Program Analyst
Jeff Weeks	Field Manager, Egan Field Office
Kalem Lenard	Outdoor Recreation Planner, Egan Field Office
Brenda Linnell	Reality Specialist, Schell Field Office
Jill McConville	Administrative Assistant, Battle Mountain District Office
Gary Medlyn	Sup. Natural Resource Management Specialist, Schell Field Office
Mary D'Aversa	Field Manager, Schell Field Office

Other Attendees:

Jose Noriega	USDA Forest Service, District Ranger
Jerry Annis	Public at Large, Battle Mountain
Brian Thomas	Public at Large, Indian Nations Conservation Alliance

8:17 a.m. RAC Vice-Chairperson Jeff White called the meeting to order. Jeff welcomed everyone and thanked them for attending.

I. REVIEW & APPROVAL OF MINUTES FROM PREVIOUS MEETING

-Tom Connolly motioned to postpone approving the Tri-RAC minutes until after changes were given and reviewed by the members. John Winnepenninkx seconded the motion. Motion was approved. Minutes will be reviewed at the Battle Mountain meeting on April 9, 2009.

II. ELY RESOURCE MANAGEMENT PLAN IMPLEMENTATION

Ely District Office-Michael Herder

The Ely District is in the process of completing the first two of four steps in the implementation planning process. The first step is to fill out 6 worksheets that are:

- Achieving natural resource condition objectives
- Achieving heritage resource condition objectives
- Addressing anticipated demands for energy and minerals
- Addressing anticipated demands for forage and forest products
- Addressing anticipated demands for recreation
- Addressing anticipated demands for direct community services

The second step is to prioritize the work within each of the worksheets. The Ely District Office would like the RAC's to play a role at this point by reviewing these documents and providing input on the priorities.

The third and forth steps in this process are to develop a public outreach plan and a funding strategy to implement the decisions in the Approved Resource Management Plan.

The Ely District Office will present their Draft implementation at the next RAC meeting in April at the Battle Mountain District Office.

-Jeff White asked if the BLM (statewide) would advance a similar Implementation Table to what was presented.

-Mike Herder responded that the table would be similar. BLM anticipates that Battle Mountain will follow what is being presented.

-Jerry Smith noted that this format would be used to request funding from Washington but asked who would approve the tables.

-Jeff Weeks stated that the table would go to the State Office for local approval and then to Washington.

-Patsy Tomera questioned the numbering that is associated with the projects, is there a meaning to it.

-Mike Herder confirmed that the 1 (one) is the highest priority ranging to 3 (three) being the lowest priority.

-Jeff White asked if the plans are tiered off of the Resource Management Plan (RMP).

-Jeff Weeks stated that all plans/projects are tiered to/off of the Resource Management Plan once complete. Areas of environmental concern will be identified in the planning process.

-Patsy Tomera mentioned that weeds are not shown on the table.

-Mike Herder responded that the table that was provided to the group is just one example.

-Larry Barngrover asked if the 6 (six) categories receive a priority rating.

-Mike Herder stated no, funding is for each category.

-Jeff Weeks added that the Implementation Plan will be updated annually. As projects are completed within the categories they are moved off and others are bumped up in priority.

-Jon Griggs questioned when funding an additional project that was not originally prioritized does the district decide which project to do.

-Jeff Weeks responded that if the project is submitted to the Budget and Planning System (BPS) then it would be completed.

-Tom Connolly asked if the funding would come out of the fixed income for energy positions.

-Jerry Smith stated no, a 5101 cost recovery account would fund those positions that are working on the larger energy projects such as, solar, wind, or geothermal projects.

-Jeff Weeks noted that the BLM Ely District Office would like to have the Resource Advisory Council (RAC) look at the projects as they are prioritized to provide their input and oversight.

- Jeff White questioned where Winnemucca was with their Resource Management Plan (RMP) and if Battle Mountain had to wait until the others were completed (Ely and Winnemucca).

- Jerry Smith commented that Winnemucca should have a Draft Resource Management Plan (DRMP) out this spring and that Battle Mountain anticipates starting their Resource Management Plan (RMP) in 2010. In the West, 7 Resource Management Plans (RMPs) have been completed. Some of those land use plans have been appealed. Appeals can be filed for individual actions of the Resource Management Plan (RMP).

-Ken Miller asked if the Ely Approved Resource Management Plan (RMP) has been litigated.

-Jeff Weeks responded that Ely was added to litigation from Western Watershed Projects. Eighteen land use plans are identified in this litigation.

III. WILD HORSE & BURRO SUBGROUP

At the Tri-RAC meeting (November 2008) a subgroup was established to look at short term and long term issues regarding the Wild Horse & Burro issues facing the Bureau of Land Management (BLM). The Northeastern representatives selected for the subgroup are: John Winnepenninkx, Tom Connolly, and Barry Perryman.

-John Winnepenninkx informed the group that he was unable to attend the meeting due to weather conditions. The Resource Advisory Council (RAC) subgroup met via video conference on January 20, 2009 to review/discuss the pre-work material provided by the Bureau of Land Management (BLM). John also noted that the cost of holding the horses is costing the Government approximately \$37 million per year.

-Patsy Tomera questioned if the public is aware of the cost to the Government for holding/feeding/gathering of the horses.

-John Winnepenninkx stated that he did not feel that the general public is aware of the staggering costs associated with the associated activity.

-Jerry Smith noted that the Bureau of Land Management (BLM) would inquire about the next subgroup meeting date and provide that information to the Resource Advisory Council (RAC) members.

-Smith added that the Bureau of Land Management has moved forward with the recommendation of two emergency gathers in the Callahan Complex and Buffalo Hills. Fertility control was implemented for the last gather. It was reported that every Mare gathered received fertility control on the Callaghan gather. 1,705 horses were gathered and 1,492 horses were removed. The task to pursue is how to deal with long term holding, a long term resolution is needed.

-Ken Miller questioned the length of time the fertility control lasts after it has been administered.

-Jerry Smith answered that it lasts 2 years.

-Tom Connolly thanked the Bureau of Land Management for doing the gather. Connolly added that horses were appearing where horses had never been before.

-Larry Barngrover asked how big of an area was gathered.

-Jerry Smith stated that he did not have the exact acreage but the gather was in a very large area, it took 1½ months to complete.

-Patsy Tomera commented that she has noticed "tame horses" being turned loose.

-Jerry Smith responded that they have gathered several domestic horses on recent gathers. The bureau recognizes that this is a potential issue.

-Jon Griggs asked if they are turned over to the state.

-Patsy Tomera asked if the state can sale them.

-Jon Griggs responded, yes.

-Jerry Smith added that there is a process that the state is required to complete.

-Kevin Lee asked who he could contact to request that the information be relayed to the public regarding the money that the bureau spends on Wild Horses and Burros.

IV. SPRING VALLEY WIND PROJECT

Ely District Office-Brenda Linnell

Spring Valley Wind has been monitoring for wind resources in North Spring Valley for approximately 3 years. They also started their surveys for migratory birds and bats upon installation of the anemometers.

Spring Valley Wind originally applied for a wind generation project in October 2007. After monitoring in the original proposed project area they determined that the best wind resources are further south, so the area of interest was shifted to take advantage of the better wind resource. The project is adjacent to Highway 893, and closer to Highway 50, but is still located in North Spring Valley.

Spring Valley Wind recently amended their application and Plan of Development to reflect the new project area; they submitted these to the bureau in January 2009.

Bird and bat surveys have been completed and SWCA is preparing an analysis and final report. Cultural surveys for the original projects area were completed in fall of 2008. Cultural surveys for the new portions of the project area will be completed in the early spring 2009.

Geotech survey will be completed once the ground has thawed and the cultural surveys have been completed. These surveys help determine soil types, etc. to make sure that the proposed site for placement of the towers is viable.

Bureau of Land Management anticipates starting the Environmental Assessment (which could change to a Environmental Impact Statement (EIS)), including public scoping, in spring of 2009, but a schedule has not been finalized.

-Vince Garcia asked how many turbines have been proposed and questioned if the initial data supports the proposed area.

-Brenda Linnell responded that there are 75-85 turbines have been proposed for installation. The Ely District Office currently has 3 applications for wind development in Spring Valley.

-Larry Barngrover inquired what kind of bat information they are collecting for the bat surveys.

-Brenda Linnell answered that they are looking at the bat migrations, and their habits to determine if they will be affected.

-Mike Herder added that there is a potential for high bat mortality, but not only bats but for birds and foraging animals as well. One of the main concerns/issues is that there is a concentration of bats (75,000-100,000) in a nearby cave. A radar study was done this year looking at their flight patterns out of the cave. There is a small group that peels off of the migratory group, which will have the largest affected impact. These bats are in the area for 3-5 days.

-Jeff White asked about the size of the turbines.

-Mike Herder said that from ground level they would be approximately 450 ft high.

-Tom Connolly asked if the transmission line is in the same location.

- Brenda responded that the transmission line runs thru the project area. There is already an agreement for production.
- Larry Barngrover asked if the Juniper stands had any effect on the turbines.
- Brenda Linnell said that she did not think so, they are within an ACEC.
- Jeff White asked if the turbines are required to be lit to FAA standards.
- Brenda Linnell answered, yes.
- Jerry Smith asked if there are sensitive species that will be affected.
- Mike Herder commented that the most common species is not listed, some of the local bats have foraging areas outside of the area and will not be as affected.
- Jerry Smith asked if information from other farms is being reviewed.
- Mike Herder responded yes, they are primarily in the east there is not a lot of information from those in open areas.
- Neil Frakes asked if the migration is South, no North migration.
- Mike Herder said the migration is more dispersed.

V. CHINA MOUNTAIN WIND PROJECT

Elko District Office-Ken Miller

The Bureau of Land Management published a notice of Intent to begin an Environmental Impact Statement on April 21, 2008. The proposed project includes up to 425 MW of generating capacity and encompasses nearly 4,700 acres in Nevada. The constructed project as proposed would generate enough power to serve approximately 200,000 homes. About 160 large wind turbines would be located in Idaho and 25 in Nevada, all being located on public land. BLM held public scoping meetings on June 24-26, 2009.

The area contains key habitat for sage-grouse, crucial mule deer and pronghorn winter range as well as habitat for numerous sensitive species. The area is a known bird migration corridor. The proposed project area also contains extensive Native American cultural resources.

To date, eight meteorological towers have been erected, one on Nevada BLM administered land. The application has been amended to add four more to be located on public land.

Renewable Energy Systems (RES) notified BLM that Nevada Power had become half owner of China Mountain Wind LLC. BLM assigned 50% of the Rights-of-way applications and grants to Nevada Power on November 5, 2008.

-Tom Connolly asked if the transmission corridor is part of the same EIS.

-Ken Miller answered, yes it is. The corridor is already in place and the line will be part of the Environmental Impact Statement.

-Jeff White questioned raptor fatalities and how they will be managed.

-Ken Miller said that management will be through adaptive management. Adaptive Management is ongoing monitoring through the life of the project. Adjustments are made as necessary. Adjustments include shutting down a turbine, modifying speed, etc.

-Larry Barngrover asked if there are impacts from the wind turbine blades to deer and antelope.

-Ken Miller said that the Environmental Impact Statement should address some of these questions.

-Patsy Tomera questioned if there are any protests on the project.

-Ken Miller responded that currently there are no protests. Some concerns were brought up on the tour in June.

-Mike Herder added that habitat fragmentation from the development of roads is one of the anticipated issues for wildlife.

Public Comment Period opened at 10:00a.m.

-Vince Garcia opened the meeting to public comment.

Public at Large-Jerry Annis, Battle Mountain, Nevada

Jerry thanked those present for being able to sit in on the meeting and stated that he agrees that the public needs to be aware of the costs associated with the management of the Wild Horses. Jerry added that the subgroup needs to work towards a resolution.

Public at Large-Brian Thomas, Indian Nation Conservation Alliance

Brian stated that the tribes in the Northwest have seen an increase in the number of domestic horses being dumped. Thomas added that last year some of the tribes sold them. There is a concern over grazing.

-Tom Connolly asked if the horses could be gathered from the reservation.

-John Winnepenninkx answered no, the lands are under tribal jurisdiction.

-Vince Garcia stated that we need to look long term at development of healthy landscapes. We need to look at how to regulate and use these lands.

Public at Large-Vince Garcia, Te-Moak Tribe of Western Shoshone Indians

Vince Garcia commented on the Mt. Tenabo mine expansion litigation process on behalf of the Te-Moak Tribe of Western Shoshone Indians. Garcia said that the tribe is not opposed to mining but, is opposed to the language included in a recent agreement proposed by Barrick Goldstrike and accepted by other Shoshone Tribes.

Vince Garcia added that in early 2000, the Te-Moak Tribe agreed to hold consultation meetings with Newmont and Barrick to get a better understanding on the history of the mining operations as well as the mining companies getting acquainted with the Te-Moak Tribe. Sometime during the Barrick meeting, an agreement was proposed by Barrick to the Shoshone Tribe. At this time,

the Duck Valley Tribe, Duckwater Tribe, Ely Tribe, Yomba Tribe and the Te-Moak Tribe all had representatives at these meetings. The main point of the agreement was that funding was going to be made available to the Tribes by Barrick and in return, the Tribes will not make any negative public comment or oppose any mine activity in the future. If the Tribe does comment negatively the agreement will be violated and all Barrick's funding obligations will cease.

Garcia went on to say that the Te-Moak Tribe felt that Barrick's agreement violated the trust relationship and consultation rights. That the Te-Moak Tribe would not sell its rights to oppose mining expansion projects in any NEPA process. Vince Garcia added that These mining operations are occurring in the tribes area and as a Tribal governing body the tribe feels responsible for those areas. The Te-Moak Tribe believes that for Barrick to involve the out of the area tribes and to have them sign the agreement and use their testimony in court litigation against the Te-Moak Tribe is unethical. This action by Barrick was the main reason for the Tribe's involvement in the Mt. Tenabo mine expansion lawsuit.

VI. GRAZING PERMIT RENEWALS UPDATE

Battle Mountain District Office- Jerry Smith

Permit renewals for the Big Smoky Valley Complex and Potts Allotment are on-going. Protests to the Proposed Decision were received from Western Watersheds Project. The Proposed Decision for the Big Smoky Complex was issued in December 2008 due to a possible sale of base property; however, the sale never materialized so the MLFO went forward with the issuance of the decision.

-Patsy Tomera asked if the Bureau of Land Management would be selling or trading land for the Diamond Valley Firehouse.

-Jerry Smith responded that the Bureau is working with them on it. An environmental assessment was completed and out for public review in November. The Bureau has completed a mineral report and a draft environmental site assessment. A notice of realty action (NORA) has been approved by the state office and is to be published in the Federal Register.

-Tom Connolly requested to see changes that are made to the permit renewals when they are completed.

-Larry Barngrover asked about the potential impacts from drought that will be forthcoming. Will those impacts be identified individually or within the permit renewal process.

- Jerry said that the issues can be brought forward during the permit renewal process depending on how drought and livestock use impacts the resources. This normally happens individually, if it isn't affectively addressed those issues are discussed during the permit renewal process.

Elko District Office- Ken Miller

Elko District Office is scheduled to complete 29 term permit renewals for 2009. Staff is focusing on special attention areas. Hubbard Vineyard was appealed by Western Watersheds Project (WWP), those concerns are being addressed. Elko did attend a tour with them (WWP) in the Salmon River allotment. Western Watersheds Project does a college tour on this allotment.

- John Winnepenninkx asked how many successes have the bureau had by involving special interest groups in the tours.

- Jerry Smith answered that the Battle Mountain Office has been very successful. None of our permit renewals have been appealed. It is beneficial to include interest groups, permittees, cooperators, etc.

-Jeff White commented on working with Kathy Gunderman from the Elko District and that her leaving will be a big lose.

Ely District Office-Michael Herder

Ely District Office completed 37 term permit renewals last year and anticipates completing 42 this year. Ely does have term permit renewals that have been appealed by Western Watersheds Project.

-Jeff Weeks added that there have been 28 permits appealed. Seven of those permits are part of an ongoing litigation in Idaho.

-Jon Griggs questioned why those seven were selected, were there changes within the permits.

-Jeff Weeks responded no there were some of those selected that no changes were made to the permit.

-Neil Frakes asked if changes are made to the permit with respect to perennial/annual grasses when an allotment burns.

-Mike Herder stated that those areas are rested for at least 2 years. Changes can be made anytime as needed or during the permit renewal process.

-Patsy Tomera asked if changes would be made in respect to recreation use also.

-Mike Herder noted that the bureau can close an area to use depending on the impacts. In this case a temporary closer would take place.

-Ken Miller stated that if objectives are met then the permit moves forward, if not then those issues need to be addressed.

-Mike Herder added that during a team meeting the specialists really take a hard look at all the resources and the impacts to that area.

VII. OHV TRAILS UPDATE

Battle Mountain District Office- Jerry Smith

The Shoshone OHV Trails System Decision was appealed by Dan Heinz and the Sierra Club and is therefore under litigation. The stay is pending, waiting to hear from IBLA.

Plans for refurbishing the Hickison Petroglyph Recreation Site are progressing. The recreation facilities at the site, which consist of an accessible interpretive trail, a day use area and a 16-unit campground, are in need of upgrades to bring them up to modern standards. Consultation with interested publics has been ongoing. Discussions to date have centered on the possibility of

upgrading the existing day-use area and campground and adding 3-8 horse user campsites, a trailhead parking area, and more hiking/equestrian trails.

The Mt. Lewis Field Office (MLFO) has requested funding to improve access roads and existing campsites as well as for new construction of additional campsites, and a water system for the site. Future plans include Phase 1 and 2 trail systems totaling approximately 27 - 37 miles expanding on the Phase 1 trails providing a wide variety of non-motorized hiker/equestrian trail experiences, challenges, and distances.

- Tom Connolly questioned if Nevada Department of Wildlife (NDOW) has any stipulations during hunting season on how close to an established trail you can discharge your gun.

- Jerry Smith stated that he wasn't currently aware of any stipulations. The primary concern was with sage grouse.

Elko District Office-Ken Miller

Miller informed the participants that Elko has acquired another Recreation Planner, and stated that Elko is currently focusing on the Spruce Mountain Area.

Ely District Office-Michael Herder

Michael provided a handout highlighting the Off Highway Vehicles (OHV) program and described the process for route designation.

-Ken Miller said that Elko was not at that point yet and added that public scoping would begin soon.

-Michael Herder questioned if there was a local group providing input.

-Miller responded that he thought some groups would be part of the process, but he wasn't aware of any one particular group focusing on route designation yet.

A clarification was made that there is a requirement to designate routes through the approved Resource Management Plan (RMP). The Ely District Office is currently working with the county on transportation management. The Ely District Office has developed a Transportation Management plan for the Steptoe Valley. Michael said that the RAC could be helpful with this plan.

-Michael Herder discussed three alternatives of how to come up with the designated routes. Herder said that there is a need for a mechanism to demonstrate how BLM came up with the designations. He also stated that there is a need to build a process in order to apply consistency to route designation and make sure it is defensible. Herder requested that the Ely District Office would like to have a subgroup formed from members of the RAC to complete this task.

-Jeff White made a motion to form a subgroup, comprised of Neil Frakes, Kevin Lee and Jon Griggs, to assist in OHV Route Designation. The motion was second by Jon Griggs. The Motion approved.

The subgroup members noted that they should be well on their way to providing input for developing route designation the by the next RAC meeting.

VIII. MINING UPDATE

Jeff White noted the fact that explorations have not been as active because of reduced funds, and that some legislation modifications have been proposed in regard to claim post.

White proposed that the claim post would have to be a 2 x 2 wood post or equivalent, and that it could not be hollow/capped. It must be solid.

-Dave Gaskin added that vendors and the mining industry are experiencing work force reductions.


-Patsy Tomera commented that having a solid claim post would be dangerous on the range.

Meeting adjourned at 2:00 p.m.

Date Approved:

4-9-09

Approved by:



Minutes by Stephanie Trujillo, Schirete Zick and Jerry Smith